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WEDNESDAY, JUNE 15, 2011

**COMMENTS FROM SENATOR MCCONNELL, SENATORS
LAND, NICHOLSON, SCOTT, MATTHEWS, SENATOR
ANDERSON, and SENATOR JACKSON**

**Wednesday, June 15, 2011
(Statewide Session)**

**COMMITTEE AMENDMENT AMENDED AND ADOPTED
READ THE SECOND TIME**

S. 815 -- Senators McConnell, Ford, L. Martin, Hutto, Malloy, Cleary and Shoopman: A BILL TO AMEND SECTION 1-1-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADOPTION OF THE UNITED STATES CENSUS, SO AS TO ADOPT THE UNITED STATES CENSUS OF 2010 AS THE TRUE AND CORRECT ENUMERATION OF INHABITANTS OF THIS STATE; TO ADD SECTION 2-1-70, SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SOUTH CAROLINA SENATE ARE ELECTED COMMENCING WITH THE 2012 GENERAL ELECTION; TO REPEAL SECTION 2-1-75 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SENATE WERE FORMERLY ELECTED; AND TO DESIGNATE THE PRESIDENT PRO TEMPORE OF THE SENATE AS THE APPROPRIATE OFFICIAL OF THE SUBMITTING AUTHORITY TO MAKE THE REQUIRED SUBMISSION OF THE SENATE REAPPORTIONMENT PLAN TO THE UNITED STATES DEPARTMENT OF JUSTICE UNDER THE VOTING RIGHTS ACT.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Judiciary.

Senator McCONNELL spoke on the Bill.

Motion Adopted

On motion of Senator McCONNELL, with unanimous consent, Staff Counsel Charlie Terreni and staff members from the Committee on Judiciary and were authorized as necessary to be in that area behind the rail and were admitted to the floor of the Senate Chamber while debate was in progress on S. 815, the Senate Redistricting Bill.

Remarks by Senator McCONNELL

Gentlemen of the Senate:

Today, we begin an important discussion that has its roots in our constitution. Redistricting is a difficult process, and I want, again, to thank each of you for the time you took to talk with staff concerning the redrawing of Senate districts. I am pleased to report that the Senate Judiciary Committee unanimously adopted the staff Senate plan and technical corrections presented to them on Thursday. A vote of 23-0. And there is no need for any of you to worry about the technical corrections, if you were not contacted about those. Each senator affected by those changes was contacted by staff and agreed to the technical corrections. The Judiciary Committee plan is what you were given in the envelopes yesterday, and that is what we will be voting on today.

To give you just a brief overview, I want to let all of you know that, from the beginning, this Senate has kept an open and participatory process for redistricting. The Redistricting Subcommittee adopted public participation and public submission policies encouraging public involvement. Before we drew the first Senate District, the Redistricting Subcommittee held 10 public hearings across the state to hear from the public about their concerns on communities of interest and what was important to them for Senate representation. We accepted written comments from persons who could not attend a public hearing. Over 700 people attended the public hearings and over 150 people testified or sent in comments. We established a website and posted each event or change, so the public would always be informed.

After the public hearings, the subcommittee met and adopted redistricting guidelines that focused on compliance with federal and state constitutional provisions and statutes and traditional redistricting principles, such as consideration of communities of interest and compactness of districts. We then invited the public to submit plans for consideration. After that, both legal and technical staff consulted with each Senator and, using the redistricting guidelines, drafted a staff Senate redistricting plan. Considering the huge increases in population in some areas and the huge decreases in population in other areas, it was a challenging task. I want to extend my thanks to all of the redistricting staff for their commitment to making this a fair and balanced plan.

The Redistricting Subcommittee then gave the public another opportunity for comment by holding another public hearing on the staff plan and other submitted Senate plans last week.

This Senate plan complies with Section 5 of the Voting Rights Act. It does not regress. In 2002, under the Federal Court-ordered plan, there were 9 black-majority voting age Senate Districts. In 2003, this Senate enacted a plan with 9 black-majority voting age districts. Under

the 2010 Census numbers, there are 9 black-majority voting age Senate Districts. The Senate plan being presented to you today has 9 black-majority voting age Senate districts.

I am satisfied that the Redistricting Subcommittee and the Judiciary Committee voted out a Senate plan that reflects careful consideration of the law, issues presented by the public, and concerns raised by the members of the Senate. I think the unanimous support shown by the subcommittee and full committee for this plan is an indication of the soundness of this plan.

I know there are a few amendments to be considered today. I want to let each of you know that, as chairman of the Judiciary Committee, I have to objectively look at each amendment in terms of what it does to the overall Senate plan, how it fits within our redistricting guidelines, and whether it violates federal or state law. If it does, then I will disagree with you on the amendment and I will let this body know exactly why. I have been through several rounds of redistricting and I have been grilled in depositions and in a federal courtroom. So it is not any dislike of you, your amendment, your region, or what. But I have to be sure that we stick to the criteria and to the law.

I know many of you have expressed interest in knowing what will happen with a Congressional Plan. There is no senate staff Congressional plan at this time. We received several different Congressional plans from outside parties, and I know the House Judiciary has adopted a Congressional plan. However, Senate Redistricting takes priority and once we get a Senate plan adopted here and sent over to the House of Representatives, then we will work on the Congressional plan. The staff intends to have a draft Congressional Plan posted on our website by the end of this week. For the Congressional Plan, we will follow the same procedures for public comment as we did with the Senate plan. There will be a public hearing, a meeting of the Senate Redistricting Subcommittee, and a meeting of the Senate Judiciary Committee to vote on a Congressional plan. There will be opportunities for amendments. But for now, we are focused on Senate redistricting.

I'll be glad to take any questions.

Senator HUTTO: Did you know that I think everybody in here thanks you and your staff and those folks you just asked to come on the floor for the long hard hours, nighttimes and weekends that have gone into getting us to this point. We wouldn't have gotten here without your first of all putting this staff together and then allowing each of us full access to them. They were courteous. They were respectful. They are

attentive. They couldn't give everybody what they wanted, but did you know they did anything that I think any of us could ask?

Senator McCONNELL: I want to thank you for those remarks, Senator. On behalf of the staff, I know they appreciate it greatly because they are the ones that do all the work and then we all clap and everything, but they have to pick up the pieces from everything we do. They are a tremendous group of people. They were in here last night working and trying to get the amendments finished to make sure that everything was in the proper form and order.

On motion of Senator HUTTO, with unanimous consent, the remarks of Senator McCONNELL were ordered printed in the Journal.

On motion of Senator SHOOPMAN, with unanimous consent, the remarks of Senator HUTTO were ordered printed in the Journal.

Statement by Senators LAND, NICHOLSON, SCOTT and MATTHEWS

We were out of the Chamber when S. 815 (Senate Redistricting) was given second reading. Had we been present, we would have voted in favor of giving the Bill second reading.

Statement by Senator ANDERSON

After meeting with my constituents in Greenville County, it is my opinion and desire that S.815 (S.C. Senate Redistricting Plan) should have incorporated a variance of up to nine percent for a statewide Senate plan.

(From the SJ, June 16, 2011)

The following remarks by Senator JACKSON were ordered printed in the Journal of June 15, 2011:

Remarks by Senator JACKSON

Having served on the previous redistricting committee, I wanted to just say a very special "thank you." I am really proud of this body. I witnessed what was going on across the Hall yesterday. Senator from Charleston, you made me even prouder to be a member of this Senate. A very special thank you to the members of the Judiciary Committee and the entire Senate Judiciary staff on really having reapportionment planned the way this will be adopted. It speaks volumes about those involved in the process.

So, thank you very much.